

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

WILLIAM BEAUMONT HOSPITAL

and

Case 07-CA-244615

MICHIGAN NURSES ASSOCIATION

ORDER¹

Respondent William Beaumont Hospital's Motion to Dismiss the complaint is denied as untimely and on the merits. Section 102.24(b) of the Board's Rules and Regulations requires, in relevant part, that "[a]ll motions for summary judgment or dismissal must be filed with the Board no later than 28 days prior to the scheduled hearing." The instant motion was filed on August 13, 2020, 17 days before the hearing date in this case. Thus, we deny the motion as untimely. Even had the motion been timely filed, we find that the Respondent has not demonstrated that the complaint fails to state a claim upon which relief can be granted.

Dated, Washington, D.C., August 27, 2020.

JOHN F. RING,

CHAIRMAN

MARVIN E. KAPLAN,

MEMBER

WILLIAM J. EMANUEL,

MEMBER

¹ The Board has delegated its authority in this matter to a three-member panel.